

WILLIAM WILLIAMS—HEIRS OF.

[To accompany bill H. R. No. 73.]

MARCH 4, 1840.

Mr. J. WHITE, from the Committee on the Public Lands, submitted the following

REPORT:

The Committee on the Public Lands, to whom was referred the petition of John Campbell, James Campbell, Hamilton C. Campbell, and Mary Williams, having had the same under consideration, report:

That they approve and adopt the report heretofore made by the Committee on the Public Lands in the House of Representatives, (No. 276,) bearing date February 13, 1839, and recommend the passage of the bill of same date, reported by said committee, (No. 1145, H. R.) 25th Congress 3d session; and report said bill to the House.

JANUARY 25, 1837.

The Committee on Private Land Claims, to whom was referred the petition of the heirs of John Campbell, report:

That, under the provisions of an act of Congress, passed the 21st day of February, 1823, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," there was confirmed to the heirs of John Campbell six hundred and forty acres, "being seven arpens in front and rear, bounded in front by the rear land claimed by Joseph Rolette, and by the heirs of James Aird, it being farm lot number twenty, and commonly known by the name of Campbell's coulee, and extending up said coulee on each side of it ninety arpens from the front of the bluff;" which said tract of land was situated in the neighborhood of Fort Crawford. That the surveyor general deputed Lucius Lyon to survey said tract of land for the heirs of Campbell; that said Lyon proceeded to survey, and reserved for the use and benefit of Fort Crawford, under the directions of General McNeil, then the commanding officer of the fort, about four hundred and seventy-one acres, and said Lyon only surveyed one hundred and fifty-nine acres and six hundredths of an acre, and which was afterwards patented to the heirs of John Campbell, by patent bearing date the 12th day of October, 1830, and recorded in volume 4, page 240, in the General Land Office. The petitioner now alleges that the reservation for Fort Crawford was not directed by General McNeil, and that the surveyor was mistaken, or misunderstood the directions of the said

commanding officer, and made the reservation improperly. General McNeil says he gave no such instructions, in a letter addressed by him to Mr. Rolette, from Boston, on the 11th of October, 1830, which is presented to the committee. A letter is also addressed by Mr. Lyon to the committee, saying that he was deputed to survey the private land claims, at Prairie du Chien, and had instructions to call on the commanding officer of the military post there to point out the limits of the ground which he might think necessary for military purposes, and not to include the same within the boundary of any confirmed claim; and if he had not understood General McNeil to say that all the back part of said lot No. 20 would be required for the use of the military post, he should have surveyed the whole claim, so as to include all the ground now claimed, as well as that which has been patented. The committee are of opinion that the said heirs of John Campbell are entitled to the balance of the tract of land confirmed to them, and report a bill authorizing a patent to issue accordingly.

The application is made in this case by Joseph Rolette, who claims to be a purchaser from the heirs of Campbell; but as no evidence is offered of his title from them, this committee think it proper to let the confirmation be in their name, and leaving said Rolette to his assignment or contract with them.

FEBRUARY 13, 1839.

The Committee on the Public Lands, to whom was referred the petition of John Campbell, James Campbell, Hamilton C. Campbell, and Mury Williams, having had the same under consideration, report :

That the petitioners represent that they are the only legal representatives of William Williams, senior, deceased, who was a soldier in the army of the United States, in Captain John O'Fallen's company of riflemen; that the said William Williams, in consequence of his said military services, received a grant or patent for one hundred and sixty acres of land in the Territory of Arkansas, it being the southwest quarter of section 15, in township 10 north, in range 4 east, as may be more fully seen by reference to the original grant or patent, which is forwarded with said petition, and is in the possession of the committee. It is proved by the affidavits of Charles Shaver and William A. Shaver, (whose affidavits accompany the petition, and are properly certified,) that all of the said quarter section of land is unfit for cultivation. Under this statement and proof of facts, as above set forth, the petitioners pray Congress to grant them a float, or the privilege of relinquishing said quarter section of land, and of entering a quarter section fit for cultivation somewhere else.

The committee are of opinion that the prayer of the petitioners ought to be granted, on condition that they make satisfactory proof to the Commissioner of the General Land Office that they are the only legal representatives of the said William Williams, deceased; and report a bill accordingly.